

Kenneth N. Frucht, Esq.  
Frederick J. Geonetta, Esq.  
GEONETTA & FRUCHT, LLP  
100 Montgomery Street, Suite 1600  
San Francisco, CA 94104  
Attorneys for Plaintiff  
Telephone: (415) 433.4589  
Facsimile: (415) 392.7973

Attorneys for Plaintiff  
DAVID REY

Steven R. Blackburn, State Bar No. 154797  
Matthew A. Goodin, State Bar No. 169674  
Lauren M. Cooper, State Bar No. 254580  
EPSTEIN BECKER & GREEN, P.C.  
One California Street, 26th Floor  
San Francisco, California 94111-5427  
Telephone: 415.398.3500  
Facsimile: 415.398.0955  
sblackburn@ebglaw.com  
mgoodin@ebglaw.com  
bbrown@ebglaw.com

Attorneys for Defendants,  
C&H SUGAR COMPANY, INC. and  
AMERICAN SUGAR REFINING, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

DAVID REY,

Plaintiff,

v.

C&H SUGAR COMPANY, INC., a Delaware  
Corporation, AMERICAN SUGAR  
REFINING, INC., a Delaware Corporation,  
and DOES 1-100, inclusive,

Defendant.

CASE NO. CV 10-01970 SI

**STIPULATION AND ~~[PROPOSED]~~**  
**ORDER TO CONTINUE PRE-TRIAL**  
**CONFERENCE**

The parties hereby stipulate and agree as follows:

WHEREAS; at the hearing on Defendants' motion for summary judgment on October 5,

1 2012, the Court continued the trial date in this matter to January 22, 2013, the same date as the  
2 trial date currently set in the matter of *Leatherbury v. C&H Sugar, et al.*, C-10-01969 SI, and  
3 informed the parties that they should choose which of the two cases would go to trial on January  
4 22, 2013;

5 WHEREAS; the parties have jointly agreed that the *Rey* matter should proceed to trial  
6 on January 22, 2012;

7 WHEREAS; the parties are awaiting a ruling on Defendants' summary judgment motion  
8 in this matter, and wish as much as possible to avoid unnecessary trial preparation in the event  
9 Defendants' motion for summary judgment is granted;

10 WHEREAS; the parties do not at this time wish to continue the trial date of January 22,  
11 2013;

12 THE PARTIES HEREBY AGREE AND REQUEST a continuance of the Pretrial  
13 Conference and related dates as follows:

- 14 • Joint Pretrial Conference Statement due: December 18, 2012;
- 15 • Pretrial Conference date: January 1, 2013;

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1 DATED: November 26, 2012

GEONETTA & FRUCHT, LLP

2 By: /s/ Kenneth N. Frucht  
3 Kenneth N. Frucht, Esq.  
4 Frederick J. Geonetta, Esq.  
5 Attorneys for Plaintiffs  
DAVID REY

6 DATED: November 26, 2012

EPSTEIN BECKER & GREEN, P.C.

7 By: /s/ Matthew A. Goodin  
8 Steven R. Blackburn  
Matthew A. Goodin

9 Attorneys for Defendants,  
10 C&H SUGAR COMPANY, INC. and  
AMERICAN SUGAR REFINING, INC.

11 **[PROPOSED] ORDER**

12 IT IS HEREBY ORDERED that the pre-trial dates are continued as follows:

- 13
- 14 • Joint Pretrial Conference Statement due: December 18, 2012;
  - 15 • Pretrial Conference date: January <sup>13</sup> ~~7~~, 2013; at 3:30 p.,m.

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17 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

18 Date: 11/27/12

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JUDGE OF THE DISTRICT COURT